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REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The claims are 2-5, 7, 11, 12 and 14. Claims 2, 5, 7, 11 and 14 have been amended. Claims 1, 6, 8-10 and 13 are cancelled without prejudice.

The Examiner has stated that claim 12 is allowed. Claims 2, 5, 7 and 11 have been amended so as to depend from claim 12. Accordingly, it is believed that independent claim 12 and dependent claims 2, 5, 7 and 11 (which depend directly from allowed claim 12), as well as claims 3 and 4 (which ultimately depend from claim 12), are in condition for allowance.

The Examiner has rejected claim 14 under 35 U.S.C. §102(b) as anticipated by Great Britain Patent No. 2 270 628 to *Brogan*.

This rejection is respectfully traversed.

In response, Applicant has amended claim 14 and respectfully traverses the Examiner's rejection for the following reasons.

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As set forth in claim 14 as amended, Applicant's invention provides a breast prosthesis including a back section adapted for facing a user and an adhesive element forming a continuous surface substantially conforming to and extending over a majority portion of the back section. The adhesive element comprises an inner body comprising a semirigid material, a first side facing the breast prosthesis and a second side adapted for facing the user, in which the first side and the second side have an adhesive covering substantially their entire surface.

Support for the amendments to claim 14 may be found *inter alia* in the original disclosure at FIG. 1 and at page 3, lines 7-18. No new matter has been added.

*Brogan* relates to a breast prosthesis fastener having a means for adhering to a user's skin and a means for attachment to a prosthesis. The fastener according to *Brogan* comprises a single film 2 with adhesive provided on both sides. In particular, *Brogan* discloses a "selectively incomplete coverage of adhesive on the film rear surface to help allow natural relative movement between the prosthesis and skin" (page 5, lines 21-24) and a "selectively incomplete coverage of adhesive on the film front surface to help allow natural relative movement

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between the prosthesis and skin." (page 6 lines 1-4). The adhesive is applied to the rear surface of the film 2 in a regular diagonal grid pattern and to the front surface of film 2 in a striped pattern. The striped pattern of adhesive disclosed in *Brogan* provides a coverage of less than 50% of the front surface of the film.

The "selectively incomplete" adhesive coverages disclosed in *Brogan* differs considerably in structure and function from the adhesive element as recited in claim 14, which comprises "a first side facing said breast prosthesis and a second side adapted for facing the user, said first side and said second side having an adhesive covering substantially an entire surface of said first side and said second side".

*Brogan* includes no teaching or suggestion of an adhesive covering substantially an entire surface of the adhesive element as recited in amended claim 14. Moreover, *Brogan* repeatedly cites the advantages of its selective adhesive coverage consisting of a striped or grid pattern. See e.g., page 8, lines 5-8 ("A skin-compatible adhesive 5 is applied in a grid pattern to the rear surface 3 of the film 2, the pattern ensuring that

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the flexibility of the film 2 is not limited by its adhesion to the skin."), page 8, lines 20-21 ("[the] selectively incomplete adhesive coverage allow[s] natural movement without discomfort."), page 8, line 31 - page 9, line 3 ("Because adhesive is applied to less than half of the front surface 4 of the film 2, flexibility of the film 2 is maintained, and further, it is particularly easy to remove the film from the prosthesis without damaging the skin of the prosthesis." )and page 11, lines 10-14 ("Further, the selectively incomplete adhesive coverages help to allow breathing of the skin and allow relative movement. Accordingly, problems which would otherwise occur of skin irritation and discomfort are generally avoided").

For the reasons set forth above, Brogan neither teaches nor suggests a breast prosthesis as recited in claim 14. Accordingly, it is respectfully submitted that claim 14 as amended is allowable over the cited reference.


In summary, claims 2, 5, 7, 11 and 14 have been amended. Claims 1, 6, 8, 9, 10 and 13 are cancelled without prejudice.

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In view of the foregoing, it is respectfully requested that the remaining claims be allowed and that this case be passed to issue.

Respectfully submitted,

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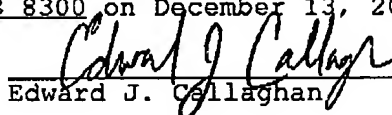
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I hereby certify that this correspondence is being sent by facsimile transmission to the U.S.P.T.O. to Patent Examiner D. Isabella at Group No. 3738, to 571-273 8300 on December 13, 2005.

  
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